

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION**

United States of America,)	
)	
Plaintiff,)	INTERSTATE AGREEMENT ON
)	DETAINERS ORDER
vs.)	
)	Case No. 1:09-cr-103-1
Clifford Scott Eaton,)	
)	
Defendant.)	

On January 20, 201, Defendant Clifford Scott Eaton ("Eaton") made his initial appearance in the above-entitled action and was arraigned. Special Assistant United States Attorney July Lawyer appeared on the Government's behalf. Attorney Michael Hoffman was appointed as defense counsel and appeared on Eaton's behalf.

Prior to his initial appearance, Eaton was incarcerated by the State of North Dakota at the James River Correctional Center in Jamestown, North Dakota. After the indictment in this case was returned and an arrest warrant issued, a detainer was filed by the United States with the North Dakota prison officials. Pursuant to the Interstate Agreement on Detainers Act ("IADA"), Eaton's appearance before this court for his initial appearance and arraignment was secured by a writ of habeas corpus *ad prosequendum*.

During the hearing, Eaton was advised of his rights under the IADA to continued federal custody until the charges set forth in the indictment are adjudicated. Eaton knowingly, voluntarily, and upon advice of counsel waived the anti-shuttling provisions of the IADA and stipulated to his continued housing by the State of North Dakota (the "sending state" under the IADA) at the James

River Correctional Center pending trial of the charges on the indictment by the United States (the “receiving state” under the IADA).

Based on Eaton's waiver of the anti-shuttling provisions of the IADA, **IT IS HEREBY ORDERED** that he be housed in the “sending state” under the IADA, at the James River Correctional Center in Jamestown, North Dakota, pending trial of this matter or until further order of the court. In the event Eaton is released from state custody, he shall be remanded to the custody of the United States Marshal with the understanding that he may motion for appropriate relief.

Dated this 20th day of January, 2010.

/s/ Charles S. Miller, Jr.
Charles S. Miller, Jr.
United States Magistrate Judge